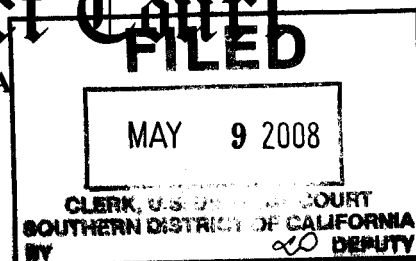


United States District Court

SOUTHERN DISTRICT OF CALIFORNIA



Matthew Louis Johnson

Plaintiff

vs

Correctional Officer Darr

Defendant

SUMMONS IN A CIVIL ACTION

Case No. 08cv0080-DMS-POR

TO: (Name and Address of Defendant)

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Matthew Louis Johnson
D-33369
Correctional Training Facility
PO Box 689
Soledad, CA 93960

An answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

Clerk of Court

L. ODERNO

By, Deputy Clerk

May 9, 2008

DATE

RETURN OF SERVICE			
Service of the Summons and Complaint was made by me		DATE	
NAME OF SERVER		TITLE	
Check one box below to indicate appropriate method of service			
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____			
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein:			
Name of person with whom the summons and complaint were _____			
<input type="checkbox"/> Return unexecuted: _____			
<input type="checkbox"/> Other (specify): _____			
STATEMENT OF SERVICE FEES			
TRAVEL		SERVICES	TOTAL
DECLARATION OF SERVER			
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service Fees is true and correct.			
Executed on: _____			
Date		Signature of Server	

Address of Server			
<u>NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE</u>			
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES ON FORM 1A AVAILABLE IN THE CLERK'S OFFICE, CONDUCT ANY OF ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u>			
YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.			
JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE UNLESS THE PARTIES AT THE TIME OF THEIR CONSENT TO TRIAL BEFORE A MAGISTRATE AGREE UPON REVIEW BY THE UNITED STATES DISTRICT COURT.			